

**REMARKS**

**Claim Rejections**

Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lo et al. (US 5,993,419). Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Rossi (US 5,370,619).

**Drawings**

It is noted that the Examiner has accepted the drawings as originally filed with this application.

**New Claims**

By this Amendment, Applicant has canceled claims 1-4 and has added new claims 5-11 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a self-destructive safety syringe comprising: a hollow barrel (3) having a front-end connecting holder (31) having a retaining ring (32) located on an interior thereof; and a plunger (4) having a plug member (40) movable between slidable and locked positions and having: a coupling member (402) having an inclined guide face (404) having an exterior surface inclining outwardly when moving in a direction from a first end to a second end of the plunger; a stem member (406) located on the first end of the plunger and extending outwardly from the inclined guide face, the stem member is selectively inserted into the front-end connecting holder; and a lengthwise long slit (405) located in a side of the stem member and the coupling member, the lengthwise long slit is spaced apart from the first end of the plunger; wherein, when the plunger is located in the slidable position, the inclined guide face of the coupling member is spaced apart from the retaining ring of the front-end connecting holder, the plug member is slidable along the interior of the hollow barrel, and when the plunger is located in the locked position, the stem member and the coupling member are

inserted into the front-end connecting holder, the retaining ring engaging the inclined guide face and fixing the stem member and the coupling member in the front-end connecting holder.

Other embodiments of the present invention include: the lengthwise long slit is movable between open and non-open positions, when the plunger is located in a position selected from a group consisting of the slidable position and the locked position, the lengthwise long slit is located in the open position, and when the plunger is moving from the slidable position to the locked position, the lengthwise long slit is located in the non-open position as the coupling member is forced past the retaining ring; the lengthwise long slit extends parallel with a length of the plunger; a rubber bulb (5) having a peroration (51), the plug member is inserted through the perforation; the plunger includes a coupling head (41) having an air escape slit (42) located in a side thereof; the stem member has an outer diameter smaller than an outer most diameter of the coupling member; and the lengthwise long slit extends across a length of the inclined guide face.

The first primary reference to Lo et al. teaches a plunger (60) having a stopper (61) having a coupling member (70). The coupling member having a neck (73) and a conical split head (71) with a slip (72).

Lo et al. do not teach a coupling member having an inclined guide face having an exterior surface inclining outwardly when moving in a direction from a first end to a second end of the plunger; a stem member located on the first end of the plunger and extending outwardly from the inclined guide face, the stem member is selectively inserted into the front-end connecting holder; a lengthwise long slit located in a side of the stem member and the coupling member; the lengthwise long slit is spaced apart from the first end of the plunger; a rubber bulb having a peroration, the plug member is inserted through the perforation; the plunger includes a coupling head having an air escape slit located in a side thereof; the stem member has an outer diameter smaller than an outer most diameter of the coupling member; nor do Lo et al. teach the lengthwise long slit extends across a length of the inclined guide face.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed

structure. Applicant submits that it is abundantly clear, as discussed above, that Lo et al. do not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Lo et al. cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

The second primary reference to Rossi teaches a plunger (106) having a disc (25) carrying a rubber gasket (124) abutting a disc (125) having a cylindrical fore end (108) having radial cuts (118) and exterior grooves (113).

Rossi does not teach a lengthwise long slit located in a side of the stem member and the coupling member; the lengthwise long slit is spaced apart from the first end of the plunger; when the plunger is moving from the slidable position to the locked position, the lengthwise long slit is located in the non-open position as the coupling member is forced past the retaining ring; the plunger includes a coupling head having an air escape slit located in a side thereof; the stem member has an outer diameter smaller than an outer most diameter of the coupling member; nor does Rossi teach the lengthwise long slit extends across a length of the inclined guide face.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Rossi does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Rossi cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

Neither Lo et al. nor Rossi disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious the new claims.

### **Summary**

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully

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requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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